

AGENDA MEMO

CITY COUNCIL MEETING OF: DECEMBER 2, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SUP-36072 - APPLICANT: FRANCISCO LUJAN - OWNER:
HIMIDIAN NERCES SARKIS LIVING TRUST**

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

Planning and Development

1. There shall be an administrative review one year after the issuance of a business license.
2. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. The hours of operation shall be from 9 am to 6 pm daily.
4. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This request is for a Special Use Permit for a proposed 988 square-foot Thriftshop use within an existing 15,300 square-foot retail/office building at 1412 East Charleston Boulevard. The applicant has indicated that the project will not alter the square footage of the existing tenant space and will not modify the existing condition of the site. The proposed use is compatible with adjacent surrounding uses and meets the minimum Special Use Permit requirements for a Thriftshop use, set forth by Title 19.04. Therefore, staff recommends approval of this request. If this application is denied, the proposed Thriftshop use cannot be located within the subject tenant space, nor can a business license be obtained for the use at this location.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales</i>	
03/17/96	A deed was recorded for a change in ownership at 1412 East Charleston Boulevard.
04/21/04	City Council approved a Special Use Permit (SUP-3747) for a Financial Institution, Specified at 1426 East Charleston Boulevard. Planning Commission and staff recommended denial.
10/20/04	City Council approved a six month Required Review (RQR-5234) for a Special Use Permit (SUP-3747) for a Financial Institution, Specified at 1426 East Charleston Boulevard. Staff recommended approval.
01/07/09	City Council approved a Special Use Permit (SUP-31303) for a Bailbond establishment at 1440 East Charleston Boulevard. Planning Commission and staff recommended approval.
11/05/09	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #43/gk).
<i>Related Building Permits/Business Licenses</i>	
05/15/91	A business license (M09-00016) was issued for General Retail Store (Less than 3,500 Square Feet) at 1412 East Charleston Boulevard. This license was marked out of business on 01/30/07.
05/30/05	A business license (Q13-00874) was issued for an Office, Other than Listed at 1412 East Charleston Boulevard. The license was marked out of business on 02/07/07.
12/01/05	A business license (M18-92070) was issued for an Office, Other than Listed at 1412 East Charleston Boulevard. The license was marked out of business on 01/30/07.
04/10/07	A business license (B20-01206) was issued for an Office, Other than Listed at 1412 East Charleston Boulevard. This license was marked out of business on 07/16/09.

<i>Pre-Application Meeting</i>	
09/11/09	The Planning & Development Department met with the applicant and reviewed the requirements for a Special Use Permit application.
<i>Neighborhood Meeting</i>	
A neighborhood meeting was not held, nor was one required.	
<i>Field Check</i>	
10/01/09	Staff conducted a field inspection and noted a well maintained retail/office building.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.91

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Retail & Office Building	C (Commercial)	C-1 (Limited Commercial)
North	Retail Building	C (Commercial)	C-1 (Limited Commercial)
South	Single Family Residence	L (Low Density Residential)	R-1 (Single Family Residential)
East	Retail & Office Building	C (Commercial)	C-1 (Limited Commercial)
West	Auto Repair Garage, Minor	C (Commercial)	C-1 (Limited Commercial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts		X	N/A
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required		Provided		Compliance	
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular		Handi-capped
Thriftshop	988 SF	1:250 SF	4				
Bail Bond Service	992 SF	1:300 SF	4				
Psychic Arts	1,250 SF	1:250 SF	5				
Financial Institution, Specified	900 SF	1:250 SF	4				
Restaurant (without Drive Through)	2,200 SF	1:50 SF of seating area and 1:200 SF of Gross Floor Area	29				
General Retail Store, Other than Listed (Less than 3,500 Square Feet)	8,970 SF	1:175 Gross Floor Area	53				
Sub Total	15,300 SF		95	4	41	1	Y*
Total	15,300 SF		99		41		Y*

* The subject retail/office building was constructed in 1964 and meets the Title 19.10.010 (c) Standard to be considered a Parking Impaired Development.

Previous Parking Requirement				
Use	Gross Floor Area or Number of Units	Parking Ratio	Required	Provided
			Parking	Parking
			Regular	Regular
Office, Other than Listed	988 SF	1:300 SF	4	4
Proposed Parking Requirement				
Thriftshop	988 SF	1:250 SF	4	4

ANALYSIS

The applicant is proposing to establish a Thriftshop use within an existing 15,300 square-foot retail/office building. The proposed use will locate within an existing 988 square-foot suite. The applicant is proposing to buy and sell gently used clothing and accessories, which is consistent with the Thriftshop use defined in Title 19.04.

The subject retail/office building was constructed in 1964 and is considered to be a Parking Impaired development per Title 19.10.010(C). The previous use at 1412 East Charleston Boulevard was an Office, Other than Listed, which required four parking spaces. The proposed Thriftshop use requires one space per 250 square feet of gross floor area, or four parking spaces. As the proposed Thriftshop use requires the same number of parking spaces as the previous use, no parking variance is required. The addition of a Thrift Shop within this retail/office building is compatible with the existing and future land uses; therefore, staff recommends approval.

FINDINGS

The following findings must be made for a Special Use Permit:

1. **“The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.”**

The proposed land use is compatible with the C (Commercial) General Plan designation and is located within an existing retail/office building. The use can be conducted in a manner that is harmonious and compatible with the surrounding uses.

2. **“The subject site is physically suitable for the type and intensity of land use proposed.”**

The proposed Thriftshop use will be in conjunction within an existing retail/office building, which is physically suitable for the type and intensity of the land use proposed.

3. **“Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.”**

The site is accessed by Charleston Boulevard, which is designated as a 100-Foot Primary Arterial by the Master Plan of Streets and Highways. The street provides adequate access to and from the subject property.

4. **“Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.”**

Approval of this special use permit will not compromise public health, safety, or welfare as the proposed Thriftshop use will be subject to regular inspections.

5. **The use meets all of the applicable conditions per Title 19.04.**

The proposed Thriftshop use complies with the conditions per Title 19.04.

PLANNING COMMISSION ACTION

The Planning Commission added condition #1 to which the applicant agreed.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

19

NOTICES MAILED

271 by City Clerk

APPROVALS

3

PROTESTS

0